

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TIMOTHY RINALDI, et ano.,

Plaintiffs,

USDS SDNY
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DATE FILED: 2/14/08

-against-

08 Civ. 0568 (LAK)

SCAG POWER EQUIPMENT, etc.,

Defendant.

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ORDER

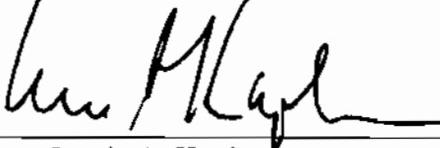
LEWIS A. KAPLAN, *District Judge*.

On January 31, 2008, the Court entered an order advising the plaintiffs that the complaint in this diversity case did not adequately allege subject matter jurisdiction because it failed to allege the citizenship of any of the parties. The order specifically noted the defects in its allegations and stated that the action would be dismissed absent the filing, on or before February 12, 2008, of an amended complaint curing the defects in the original.

Plaintiffs timely filed an amended complaint. It does not, however, cure the defect with respect to their failure to allege the citizenship of the plaintiffs. Accordingly, the action is dismissed for lack of subject matter jurisdiction.

SO ORDERED.

Dated: February 13, 2008


Lewis A. Kaplan
United States District Judge